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PATENT  
4450-0238P 9-17-03

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Steven W. CORNELIUS Conf.: 8961  
Appl. No.: 09/916,867 Group: 2681  
Filed: July 27, 2001 Examiner:  
For: AN OPTICAL SIGNAL RECEIVER AND METHOD  
WITH DECISION THRESHOLD ADJUSTMENT  
BASED ON A TOTAL PERCENTAGE ERROR  
INDICATOR FIELD OF THE INVENTION

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SEP 05 2003

Technology Center 2600

L E T T E R

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 3, 2003

Sir:

Under the provisions of MPEP § 2001.06(b), the Examiner is hereby advised of the following co-pending U.S. Application(s):

<u>Appl. No.</u>	<u>Filing Date</u>	<u>Group</u>
09/578,995	May 25, 2000	2133

The subject matter contained in the above-listed co-pending U.S. application(s) may be deemed to relate to the present application, and thus may be material to the prosecution of this instant application.

Copies of cited U.S. patent application(s) (specification, claims, and the drawings) or copies of the portion of the

application which caused it to be cited, including any claims directed to that portion are attached hereto.

☐ The materials in the envelope are considered trade secrets and are being submitted for consideration under MPEP § 724.

The above-listed co-pending application(s) is(are) not to be construed as prior art. By bringing the above-listed application(s) to the attention of the Examiner, Applicant(s) do(does) NOT waive any confidentiality concerning the above-listed co-pending application(s) or this application. See MPEP § 101. Furthermore, if said application(s) should not mature into patents, such application(s) should be preserved in secrecy under the provisions of 35 U.S.C. § 122 and 37 C.F.R. § 1.14.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael R. Cammarata, #39,491

DRA/MRC/gf  
4450-0238P  
Attachment(s)

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